

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

|                        |   |                             |
|------------------------|---|-----------------------------|
| CALLAWAY GOLF COMPANY, | ) |                             |
|                        | ) |                             |
| Plaintiff,             | ) | Civil Action No. 07-367-SLR |
|                        | ) |                             |
| v.                     | ) |                             |
| ACUSHNET COMPANY,      | ) | JURY TRIAL DEMANDED         |
|                        | ) |                             |
| Defendant.             | ) |                             |

**STIPULATED ORDER OF DISMISSAL**

WHEREAS, plaintiff Callaway Golf Company (“Callaway Golf”) and defendant Acushnet Company (“Acushnet”) (collectively, the “Parties”), have reached an agreement that resolves all issues between them as to the matters asserted in this lawsuit (C.A. No. 07-367-SLR), but continue to dispute all issues between them regarding C.A. No. 06-91-SLR;

IT IS HEREBY STIPULATED, subject to the approval of the Court, that:

- (1) All claims and counterclaims of each Party with regard to C.A. No. 07-367-SLR shall be DISMISSED WITH PREJUDICE pursuant to FRCP 41(a)(1); and
- (2) Each Party shall bear its own costs in connection with this action.

FISH & RICHARDSON P.C.

POTTER ANDERSON & CORROON LLP

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SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
United States District Court Judge